



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 10, 2011

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

62 May 10, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**ADOPT, ADVERTISE, AND AWARD
WATER SYSTEM MODIFICATIONS
SEPULVEDA FEEDER SERVICE CONNECTION
WB-26 MODIFICATIONS
IN THE CITIES OF CULVER CITY AND LOS ANGELES
(SUPERVISORIAL DISTRICT**

SUBJECT

This action is to approve a project to modify water system facilities for Sepulveda Feeder Service Connection WB-26 Modifications, in the Cities of Culver City and Los Angeles; find the project statutorily exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; call for bids; and authorize the Director of Public Works or her designee to award, execute, and implement a consultant services agreement for the preparation of a baseline construction schedule for a not to exceed fee of \$5,000 and a construction contract with the apparent responsible contractor with the lowest responsive bid.

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU:

1. Find that this project is statutorily exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for Sepulveda Feeder Service Connection WB-26 Modifications, in the Cities of Culver City and Los Angeles, at an estimated cost between \$2,000,000 and \$2,700,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on June 7, 2011, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
4. Authorize the Director of Public Works or her designee to execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule for a not-to-exceed fee of \$5,000.
5. Authorize the Director of Public Works or her designee to award and implement a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor, and deliver the project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval of the project from your Board, acting as the governing body of the County Waterworks District No. 29, Malibu, (District), to adopt the plans and specifications; advertise for bids; and authorize the Director of Public Works (Director) or her designee to award and execute a consultant services agreement to prepare a baseline construction schedule for a not-to-exceed fee of \$5,000 funded by existing project funds and a construction contract with the apparent responsible contractor with the lowest responsive bid for water system modifications and the performance of other appurtenant work. The limits of the project are as follows: Venice Boulevard 200 feet west of Sawtelle Boulevard to Tuller Avenue and Tuller Avenue from Venice Boulevard to 350 feet south of Venice Boulevard.

The proposed consultant services agreement to prepare a baseline construction schedule that conforms to the County of Los Angeles' (County) specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the apparent lowest bidder fails to complete acceptable deliverables, the Department of Public Works (Public Works) may return to your Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables that conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended actions will help meet these goals by providing improved water service, which will benefit the community.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction cost to complete this project is in the range of \$2,000,000 to \$2,700,000 including a not-to-exceed fee of \$5,000 for a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule. On June 15, 2010, your Board authorized the Director or her designee to sign the Safe Drinking Water State Revolving Fund Agreement with the State of California Department of Public Health

(CDPH) for a loan of \$3,410,400. Your Board also adopted a resolution to designate revenues for loan repayment and authorized approval of a funding agreement for \$3,410,400. Once the project construction contract is awarded and as expenditures are incurred for the project, Public Works will begin drawing on the loan to reimburse the ongoing project costs until the project is completed. Interest accrued on loan funds received from the CDPH will be repaid semiannually during the construction period. Once the project is completed, the loan principal amount of \$3,410,400 will be repaid by the District over 20 years at a 2.2836 percent interest rate through semiannual payments currently estimated by CDPH at \$106,872. Sufficient funds to cover the loan repayment are included in the District's Recommended Fiscal Year 2011-12 Accumulative Capital Outlay Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project, to contract for water system modifications, is part of Public Works' ongoing program for the operation, maintenance, and repair of water systems. It will be advertised in accordance with Section 20602 of the State Public Contract Code.

This project is to be completed in 140 working days. It is estimated the work will start in September 2011 and be completed in May 2012.

Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for modifications to this water system.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is statutorily exempt from the California Environmental Quality Act Guidelines pursuant to Section 21080.21 of the Public Resources Code. This Section provides that Division 21080, discretionary projects proposed to be carried out or approved by public agencies, does not apply to projects of less than one mile in length within a public street or highway or any other public right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director or her designee will be made after review of the bids meeting the criteria established by your Board and the State Public Contract Code, and successful completion of the deliverables provided through the consultant services agreement.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved water service thereby benefiting the community.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:JTS:ma

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Office of Affirmative Action Compliance